

REMARKS

Claims 8-10, 12-15, 41-44, 52-53, 56-57, 59-64, and 66-94 are pending. By this Amendment, claims 8-10, 53, 59-60, 63, 66-67, and 71 are amended, claims 40, 58, and 65 are canceled without prejudice or disclaimer, and claims 80-94 are added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks are respectfully requested.

The Examiner is thanked for the indication that claims 9-10, 14-15, 40, 42-44, 57-61, 65-67, 72, and 74-79 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The allowable features of claim 40 have been added to independent claim 8, claim 40 has been canceled, and claims 9 and 10 have been amended to depend from claim 8. Accordingly, independent claim 8 should be in condition for allowance, along with claims 9-10, 12-15, 41-44, and 52, which depend therefrom.

Further, the allowable features of claim 58 have been added to independent claim 53, claim 58 has been canceled, and claim 59 has been amended to depend from claim 53. Accordingly, independent claim 53 should be in condition for allowance, along with claims 56-57 and 59-62, which depend therefrom.

Also, the allowable features of claim 65 have been added to independent claim 63, claim 65 has been canceled, and claims 66-67 have been amended to depend from claim 63.

Accordingly, independent claim 63 should be in condition for allowance, along with claims 64 and 66-70, which depend therefrom.

Dependent claims 14, 42, 43, 57, 60, 72, 74, and 77 have been rewritten in independent form as new claims 80, 82, 83, 85, 86, 88, 89, and 92, respectively. Accordingly, claims 80, 82, 83, 85, 86, 88, 89, and 92 should be in condition for allowance, along with claims 81, 84, 87, 90-91, and 93-94, which depend, respectively, from claims 80, 83, 86, 89, and 92.

The Office Action stated on page 5 that “protusibly” is not currently a word recognized by the on-line version of Merriam Webster’s Dictionary. Applicant respectfully submits that the amendments to claim 71 obviate this issue regarding the term “protrusibly.”

The Office Action rejected claims 71 and 73 under 35 U.S.C. §102(b) over Rosenberg (U.S. Patent No. 5,100,395). Since Rosenberg fails to disclose or suggest all of the features of the claims, the rejection is respectfully traversed.

More specifically, claim 71 recites at least a feature of at least one of said plurality of microinfusion catheters is movable within said macrocatheter. Rosenberg fails to disclose or suggest at least this feature. Rather, Rosenberg discloses subcutaneous tubelets 4, 6, 8 which are integrally formed on a sleeve 9 which is fixed, e.g., by adhesive, to the respective end of 2, as illustrated in Figure 1. See Rosenberg, column 2, lines 53-62.

For at least the reasons set forth above, Applicant respectfully submits that claim 71 is allowable over Rosenberg. Claim 73 is allowable at least for the reasons discussed above with respect to independent claim 71, from which it depends, as well as its added features.

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The Office Action rejected claims 8, 12-13, 41, 52, 53, 56, 62-64, and 68-70 under 35 U.S.C. §103(a) over DiResta et al. (hereinafter "DiResta"), U.S. Patent No. 5,484,399. These rejections are moot in view of the above discussed amendments to independent claims 8, 53, and 63, and thus should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbeck, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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